

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

DOCKET NO. 3:05CR104-FDW

UNITED STATES OF AMERICA,)
)
) **FINAL ORDER AND JUDGMENT**
v.) **CONFIRMING FORFEITURE**
) **AS TO PERSONAL PROPERTY**
(1) GABRIEL ROMERO)
(5) KOJI SANCHEZ STEWART)

On October 20, 2006, this Court entered preliminary orders of forfeiture pursuant to 21 U.S.C. §853(n) and Fed. R. Crim. P. 32.2(b), based upon the above-captioned defendants pleas of guilty to Count One in the bill of indictment. In that count, each defendant was charged with conspiracy to possess with intent to distribute cocaine and cocaine base in violation of 21 U.S.C. §841(a)(1) and §846.

On February 23, 2007, the United States published in the Mecklenburg Times, a newspaper of general circulation, notice of this forfeiture and of the intent of the government to dispose of the forfeited property in accordance with the law, and further notifying all third parties of their right to petition the Court within thirty days for a hearing to adjudicate the validity of any alleged legal interest in the property. In addition, the government served notice on Inez Romero, defendant Romero's wife or ex-wife, by certified mail, return receipt requested. Ms. Romero filed a petition as to certain real property, and the government subsequently dismissed its forfeiture claim as to that property. The government has also attempted service by certified mail on Quinn Stewart, the registered owner of the vehicle, at his last known address. It appears from the record that no petitions have been filed regarding any of the personal property.

Based on the record in this case, including the grand jury's finding of probable cause and the stipulations made by each defendant in his respective plea agreement, see Plea Agreement at ¶23, the Court finds, in accordance with Rule 32.2(c)(2), that the defendant had an interest in the property that is forfeitable under the applicable statute.

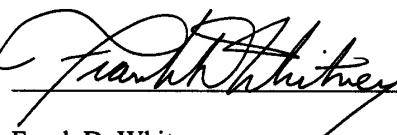
It is therefore ORDERED:

In accordance with Rule 32.2(c)(2), the preliminary order of forfeiture is confirmed as final. All right, title, and interest in the following personal property has therefore been forfeited to the United States for disposition according to law:

- (a) the sum of \$168,031, seized on or about April 7, 2005;
- (b) one 1999 black GMC Yukon Denali, VIN 1GKEK13R3XR908954, registered in the name of Quinn Stewart; and
- (c) assorted jewelry owned by defendant Stewart and seized on April 15, 2005, consisting of two necklaces, a stainless steel diamond watch, a bracelet, and earrings, which have been valued collectively at \$12,655.

IT IS SO ORDERED.

Signed: October 9, 2008



Frank D. Whitney
United States District Judge

